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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,869	03/09/2001	Gert-Jan Van Lieshout	2380-218	6745
7590	12/22/2003		EXAMINER	
NIXON & VANDERHYE P.C.			IQBAL, KHAWAR	
8th Floor			ART UNIT	PAPER NUMBER
1100 North Glebe Road				
Arlington, VA 22201-4714			2686	

DATE MAILED: 12/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/801,869	VAN LIESHOUT ET AL.
Examiner	Art Unit	
Khawar Iqbal	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-40 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \*    c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4.5</u> . | 6) <input type="checkbox"/> Other: _____                                     |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-7,9-20,22-40 are rejected under 35 U.S.C. 102(e) as being unpatentable by Rinne et al (6574473).

3. Regarding claim 1 Rinne et al teaches in a radio access network (RAN) where information may be sent to a mobile radio unit using a shared radio channel shared by other mobile radio units, a method comprising (Abstract figs 6-14):

establishing between a first RAN node and a second RAN node a first transport bearer to transport data to be transmitted on the shared radio channel (col.7, lines 44-55, col. 11, lines 1-10 and 33-55), and

establishing between the first RAN node and the second RAN node a second transport bearer to transport control information originated in the first RAN node relating to the first transport bearer data (col.7, lines 56-67, col. 11, lines 11-21 and 33-55).

Regarding claims 2,16,25 Rinne et al teaches the first RAN node transmitting the control information over the second transport bearer to the second RAN node (col. 7, lines 56-67, col. 11, lines 11-21 and 33-55).

Regarding claims 3,17,26 Rinne et al teaches wherein the control information includes scheduling information (col. 7, lines 56-67, col. 11, lines 11-21 and 33-55).

Regarding claims 4,18,23,27 Rinne et al teaches wherein the control information indicates information needed by the mobile radio unit to decode the data transmitted over the shared radio channel (col. 7, lines 56-67, col. 11, lines 11-21 and 33-55).

Regarding claims 5,28,36 Rinne et al teaches wherein the needed information includes one or more of the following: a frame identifier, a radio channel identifier, and an indication of how different radio channels are multiplexed on the identified frame (col. 11 line 60-col. 12, line 25, col. 20-35, col. 3, lines 1-8).

Regarding claims 6,7,29,37 Rinne et al teaches wherein the control information includes transport format information (col. 11, lines 33-55).

Regarding claims 9,30,31 Rinne et al teaches wherein the first RAN node is a drift radio network controller and the second RAN node is a base station (fig. 14, RNC BS8).

Regarding claim 10,38 Rinne et al teaches establishing a third transport bearer to carry dedicated radio channel data and dedicated radio channel control information through the RAN for transmission to the mobile radio unit on the dedicated radio channel (col. 7, lines 56-67, col. 11, lines 11-21 and 33-55).

Regarding claim 11 Rinne et al teaches wherein the dedicated radio channel carries the dedicated control information and the control information originated at the first node to the mobile radio unit (col. 7, lines 56-67, col. 11, lines 11-21 and 33-55).

Regarding claim 12 Rinne et al teaches the SRNC providing data to be transmitted to one or more mobile radio units to the DRNC over the third transport bearer (col. 7, lines 56-67, col. 11, lines 11-21 and 33-55).

Regarding claims 13,14,35,40 Rinne et al teaches wherein the third transport bearer is established between the SRNC and the DRNC and between the DRNC and the BS (col. 7, lines 56-67, col. 11, lines 11-21 and 33-55, figs. 12-14).

Regarding claims 15 Rinne et al teaches in a radio communications system including a radio access network (RAN) with a serving radio network controller (SRNC) coupled to a drift radio network controller (DRNC) for supporting communications with mobile radio units over a radio interface, a method comprising (abstract figs 6-14):

establishing a first RAN transport bearer to transport information supervised by the SRNC for transmission over a dedicated radio channel to a mobile radio unit; establishing a second RAN (col. 7, lines 44-55, col. 11, lines 1-10 and 33-55);

transport bearer to transport information supervised by the DRNC for transmission over a shared radio channel to the mobile radio unit, and establishing a third RAN transport bearer to transport DRNC-originated information (col. 7, lines 56-67, col. 11, lines 11-21 and 33-55).

Regarding claims 19,33,34 Rinne et al teaches the DRNC transporting DRNC-originated information over the third transport bearer for instructing the mobile radio unit how to receive information on the shared radio channel (col. 7, lines 56-67, col. 11, lines 11-21 and 33-55).

Regarding claims 20,22 Rinne et al teaches a computer-generated data signal embodied in an electrical signal transported on a radio access network (RAN) transport bearer established between a first RAN node corresponding to a drift radio network controller and a second RAN node corresponding to a base station, comprising (abstract figs 6-14):

a frame number field including a specific frame number corresponding to a frame on a radio channel (col. 11 line 60-col. 12, line 25, col. 20-35, col. 3, lines 1-8), and a transport format field including information relating to a particular radio channel resource useable by a mobile radio unit to receive information directed to the mobile radio unit (col. 7, lines 44-67, col. 11, lines 1-21 and 33-55).

As to claim 24 it is considered the claim is rejected for the same reason as set forth in claim 1.

Regarding claims 32 and 39 Rinne et al teaches a radio access network, comprising (abstract figs 6-14):

a serving radio network controller for initially establishing a connection with a mobile radio unit over a radio interfac (col. 7, lines 44-55, col. 11, lines 1-10 and 33-55);

a drift radio network controller for providing resources to the SRNC to support the connection (col. 7, lines 44-67, col. 11, lines 1-21 and 33-55); and

a base station associated with the DRNC for conveying connection information to the mobile unit over a shared radio channel, wherein the DRNC is configured to establish a first transport bearer to transport the connection information from the DRNC

to the base station on the shared radio channel and a second transport bearer to transport control information related to the connection information from DRNC to the base station (col. 7, lines 44-67, col. 11, lines 1-21 and 33-55, figs. 12-14).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8 and 21 rejected under 35 U.S.C. 103(a) as being unpatentable over Rinne et al (6574473) and further in view of Ziemer et al (6122310).

Regarding claims 8 and 21 Rinne et al does not specifically teach an index to a lookup table stored in the mobile radio unit containing information relating to how a transport channel is multiplexed on the shared radio channel, wherein the shared radio channel is specified by a channelization code and a spreading factor. Rinne et al teaches the method involves using a cellular communications system has a terminal linking via base stations to radio network controllers. On initial call setup a path is provided through one controller, which becomes the anchor controller. If the terminal causes a handover to base stations linked to another radio controller, a path is created between the controllers. The terminal communications always route via the anchor controller (abstract).

In an analogous art, Ziemer et al teaches an index to a lookup table stored in the mobile radio unit containing information relating to how a transport channel is

multiplexed on the shared radio channel, wherein the shared radio channel is specified by a channelization code and a spreading factor (col. 7, line40-col. 8, line20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Rinne et al by specifically adding feature lookup table stored in the mobile radio unit containing information relating to how a transport channel is multiplexed on the shared radio channel, wherein the shared radio channel is specified by a channelization code and a spreading factor in order to enhance system performance of the system purpose of increasing more transport channel accuracy as taught by Ziemer et al.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Terry (20010043576), Longoni et al (6631125) and Gage et al (6515972) teach Universal Mobile Telecommunications System.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is 703-306-3015.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **BANKS-HAROLD, MARSHA**, can be reached at 703-305-4379.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2684 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

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